

FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 27392/26388
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (if known) see 37 CFR 1.5 <b>107509989</b>
INTERNATIONAL APPLICATION NO. PCT/EP03/01973	INTERNATIONAL FILING DATE 26 February 2003	PRIORITY DATE CLAIMED 8 April 2002		
TITLE OF INVENTION Ligament Tensioning Device with Cutting Jig and Osteotomy Procedure				
APPLICANT(S) FOR DO/EO/US Daniel DELFOSSE, Walter SUPPER, and Beat GRUNDER				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))        a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).        b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.        c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).        a. <input checked="" type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))        a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> have been communicated by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>				
Items 11 to 20 below concern document(s) or information included:				
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: International Search Report; International Preliminary Examination Report; return receipt postal card</p>				

U.S. APPLICATION NO. <i>10/509989</i>		INTERNATIONAL APPLICATION NO. PCT/EP03/01973	ATTORNEY'S DOCKET NUMBER 27392/26388																
21. <input checked="" type="checkbox"/> The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>																	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00																			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 920.00																	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		\$																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>-20 =</td> <td>x</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>-3 =</td> <td>x</td> <td>\$</td> </tr> <tr> <td>MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td></td> <td>+</td> <td>\$</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	-20 =	x	\$	Independent claims	-3 =	x	\$	MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+	\$	<b>TOTAL OF ABOVE CALCULATIONS =</b> \$ 920.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																
Total claims	-20 =	x	\$																
Independent claims	-3 =	x	\$																
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+	\$																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$ .		\$																	
<b>SUBTOTAL =</b>		\$ 920.00																	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		\$																	
<b>TOTAL NATIONAL FEE =</b>		\$ 920.00																	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$																	
<b>TOTAL FEES ENCLOSED =</b>		\$ 920.00																	
		Amount to be refunded:	\$																
		charged:	\$																
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 920.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2855. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																			
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p>																			
<p>SEND ALL CORRESPONDENCE TO:</p> <p>James P. Zeller MARSHALL, GERSTEIN &amp; BORUN LLP 233 S. Wacker Drive, Suite 6300 Sears Tower Chicago, Illinois 60606-6357 (312) 474-6300 CUSTOMER NUMBER: 04743</p>																			
		<p>SIGNATURE: <i>[Signature]</i></p> <p>NAME: James P. Zeller</p>																	
		<p>28,491</p> <p>REGISTRATION NUMBER</p>																	

PATENT

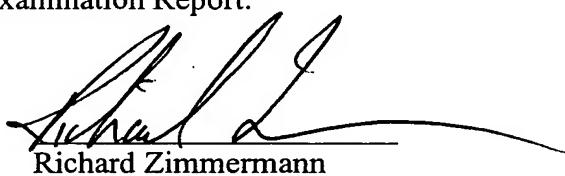
IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Applicants: Delfosse et al. ) For: LIGAMENT TENSIONING DEVICE  
U.S. National Phase of ) WITH CUTTIN JIG AND OSTEOTOMY  
PCT/EP03/01973 filed February 26, ) PROCEDURE  
2003 ) Group Art Unit: To be assigned  
Filed: Herewith ) Examiner: To be assigned  
)  
)

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that the attached seven items (a) through (g) are being deposited with the United States Postal Service on September 30, 2004, in a postage-paid envelope addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV323769829US.

- (a) Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. §371;
- (b) International application as filed;
- (c) Application, including fourteen sheets of description, seven sheets of claims, one sheet abstract, and six sheets of drawings;
- (d) Preliminary Amendment;
- (e) Information Disclosure Statement;
- (f) International Search Report; and
- (g) International Preliminary Examination Report.



Richard Zimmermann